

Executive Summary – Enforcement Matter – Case No. 49878
Enterprise Products Operating LLC
RN102323268
Docket No. 2015-0034-AIR-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Enterprise Mont Belvieu Complex, 10207 Farm-to-Mark Road 1942, Mont Belvieu, Chambers County

Type of Operation:

Liquid petroleum gas processing plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket No.: 2014-0371-IWD-E and 2011-1356-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: August 7, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$82,125

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$41,063

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project ("SEP") Conditional Offset: \$21,300

Name of SEP: Barber's Hill Independent School District (Third-Party Pre-Approved)

SEP Conditional Offset: \$19,762

Name of SEP: Texas Association of Resource Conservation and Development Areas, Inc. (Third-Party Pre-Approved)

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

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Enterprise Products Operating LLC
RN102323268
Docket No. 2015-0034-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: September 15, 2014 through September 30, 2014

Date(s) of NOE(s): November 20, 2014

Violation Information

1. Failed to equip open-ended lines in volatile organic compound ("VOC") service with a second valve, blind flange, plug, or cap [30 TEX. ADMIN. CODE §§ 101.20(1), 101.20(2), 101.20(3), 115.352(4), 115.783(5), 116.115(c), and 122.143(4), 40 CODE OF FEDERAL REGULATIONS ("CFR") §§ 60.482-6(a)(1), 61.242-6(a)(1), and 63.167(a)(1), Federal Operating Permit ("FOP") No. O1641, Special Terms and Conditions ("ST&C") Nos. 1A and 19, New Source Review ("NSR") Permit No. 6798, Special Conditions ("SC") No. 3E, NSR Permit Nos. 20698 and PSDTX797M1, SC No. 8E, NSR Permit Nos. 19930, PSDTX790, and PSDTX797M1, SC No. 2E, NSR Permit Nos. 8707 and PSDTX655M1, SC No. 6E, NSR Permit No. 5581, SC No. 8E, NSR Permit No. 22105, SC No. 7E, NSR Permit Nos. 22114 and PSDTX823, SC No. 6E, NSR Permit No. 8418, SC No. 3E, NSR Permit Nos. 21945 and PSDTX813, SC No. 10E, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
2. Failed to maintain the net heating value above 300 Btu/scf for steam-assisted or air-assisted flares [30 TEX. ADMIN. CODE §§ 101.20(1), 101.20(2), 101.20(3), 115.722(d), 116.115(c), and 122.143(4), 40 CFR §§ 60.18(c)(3)(ii) and 63.11(b)(6)(ii), FOP No. O1641, ST&C Nos. 1A and 19, NSR Permit Nos. 76070 and PSDTX1057, SC No. 4A, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
3. Failed to maintain the pH at or above 10 for the recirculating caustic solution of Scrubber CS-1 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), FOP No. O1641, ST&C Nos. 1A and 19, NSR Permit Nos. 20698 and PSDTX797M1, SC No. 19, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures:

- a. By June 11, 2014, installed a new pH probe and improved the maintenance process to include more frequent probe calibrations;
- b. By September 17, 2014, equipped 443 open-ended lines with a second plug or cap and revised the open-ended line work process; and

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Docket No. 2015-0034-AIR-E

c. By January 13, 2015, updated the maintenance process and briefed the operations crew on the rule requirement for air-assisted flare heating values.

Technical Requirements:

The Order will require the Respondent to implement and complete two SEPs (see SEP Attachments A and B).

Litigation Information

Date Petition(s) Filed: N/A

Date Answer(s) Filed: N/A

SOAH Referral Date: N/A

Hearing Date(s): N/A

Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Raime Hayes-Falero, Enforcement Division, Enforcement Team 4, MC R-12, (713) 767-3567; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456

TCEQ SEP Coordinator: Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565

Respondent: Robert E. Moss, Vice President of Operations, Enterprise Products Operating LLC, P.O. Box 4323, Houston, Texas 77210

Respondent's Attorney: N/A

Attachment A
Docket Number: 2015-0034-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Enterprise Products Operating LLC
Penalty Amount:	Eighty-Two Thousand One Hundred Twenty-Five Dollars (\$82,125)
SEP Offset Amount:	Twenty-One Thousand Three Hundred Dollars (\$21,300)
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Barbers Hill Independent School District
Project Name:	<i>Energy Efficiency Building Upgrade/Retrofit Project</i>
Location of SEP:	Chambers County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Barbers Hill Independent School District** for the *Energy Efficiency Building Upgrade/Retrofit Project*. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to pay a contractor to install and monitor sub-meters. The contractor's work will include installing revenue grade electric sub-meters in the line feed of certain facilities; installing revenue grade current transformers; incorporating all engineering, software, and graphics to accomplish effective monitoring of the status of this equipment; and a one-year warranty including parts and labor for the new sub-meters. In addition to sub-metering, the Third-Party Administrator shall use the SEP Offset Amount to pay its contractor to monitor, calibrate, and repair existing meters and to complete energy efficiency upgrades and/or retrofits based on needs identified in energy audits. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

Enterprise Products Operating LLC
Agreed Order - Attachment A

All dollars contributed will be used solely for the direct cost of implementing the Project, including but not limited to supplies, materials, and equipment. Any portion of this contribution that is not able to be spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

The Project will result in reduced energy consumption by school district buildings and will contribute to the overall reduction of greenhouse gases. The sub-metering is expected to reduce energy consumption up to eight percent. The Project will reduce fuel and electricity usage for heating and cooling and day-to-day operations. These reductions will reduce emission of particulate matter, volatile organic carbon compounds, nitrogen oxides, and other pollutants associated with the combustion of fuel and generation of electricity. It will also contribute to a reduction in peak loads on the State electric power grid.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Barbers Hill ISD SEP** and shall mail the contribution with a copy of the Agreed Order to the following address.

John Johnson, Consultant
Carl R. Griffith & Associates, Inc.
2901 Turtle Creek Drive, Suite 445
Port Arthur, Texas 77642

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to the following address.

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP; shall make the check payable to "Texas Commission on Environmental Quality"; and shall mail it to the following address.

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

Attachment B
Docket Number: 2015-0034-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Enterprise Products Operating LLC
Penalty Amount:	Eighty-Two Thousand One Hundred Twenty-Five Dollars (\$82,125)
SEP Offset Amount:	Nineteen Thousand Seven Hundred Sixty-Two Dollars (\$19,762)
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Texas Association of Resource Conservation and Development Areas, Inc.
Project Name:	<i>Tire Collection Events and Cleanup of Abandoned Tire Sites</i>
Location of SEP:	Chambers County - Trinity River Basin, Gulf Coast Aquifer

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment B.

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Texas Association of Resource Conservation and Development Areas, Inc. (“RC&D”)** for the *Tire Collection Events and Cleanup of Abandoned Tire Sites* project. The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and the TCEQ (the “Project”). Specifically, the SEP Offset Amount will be used to coordinate with local city and county government officials and private entities (“Partner Entities”) to conduct tire collection events where residents will be able to drop off tires for proper disposal or recycling (“Collection Events”), or to clean sites where tires have been disposed of illegally (“Site Cleanups”).

Texas RC&D shall ensure that collected tires, debris, and waste are properly transported to and disposed at an authorized disposal site, and if a licensed hauler is needed for tires or other regulated waste collected from sites, Texas RC&D shall ensure that only properly licensed haulers are used for transport and disposal of tires and regulated wastes. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

Enterprise Products Operating LLC
Agreed Order - Attachment B

All dollars contributed will be used solely for the direct cost of the Project, including but not limited to supplies, materials, and equipment. Any portion of this contribution that is not able to be spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

This SEP will provide an environmental benefit by providing communities with a free and convenient means for safe and proper disposal of tires and by reducing the dangers and health threats associated with illegally dumped tires.

The health risks associated with illegal dumping are significant. Areas used for illegal tire dumping may be easily accessible to people, especially children, who are vulnerable to the physical hazards posed by abandoned tires. Rodents, insects, and other vermin attracted to dump sites may also pose health risks. Tire dump sites which contain scrap tires pose an ideal breeding ground for mosquitoes, which can breed 100 times faster in the warm, stagnant water standing in scrap tire casings. Severe illnesses, including West Nile Virus, have been attributed to disease-carrying mosquitoes. The potential for tire fires is also reduced by removing illegally dumped tires. Tire fires can result in the contamination of air, surface water, ground water, and soil. In addition, neighborhoods have been evacuated and property damage has been significant due to tire dump sites that caught fire. Illegal tire dumping can also impact drainage of runoff, making areas more susceptible to flooding when wastes block waterways. Open burning at tire dump sites can cause forest fires and erosion as fires burn away trees and undergrowth. Tire dumping has a negative impact on trees and wildlife, and runoff from tire dumpsites may contain chemicals that can contaminate wells and surface water used for drinking.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Texas Association of RC&D SEP** and shall mail the contribution with a copy of the Agreed Order to:

Enterprise Products Operating LLC
Agreed Order - Attachment B

Texas Association of RC&D Areas, Inc.
Attn.: Jerry Pearce, Executive Director
P.O. Box 2533
Victoria, Texas 77902

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment B, including full expenditure of the SEP Offset Amount, as described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP. The Respondent shall make the check payable to "Texas Commission on Environmental Quality" and shall mail it to:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment B and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES	Assigned	24-Nov-2014	Screening	1-Jan-2015	EPA Due	
	PCW	27-May-2015				

RESPONDENT/FACILITY INFORMATION

Respondent	Enterprise Products Operating LLC		
Reg. Ent. Ref. No.	RN102323268		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	49878	No. of Violations	3
Docket No.	2015-0034-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Raime Hayes-Falero
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$45,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	100.0% Enhancement	Subtotals 2, 3, & 7	\$45,000
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Notes: Enhancement for six NOVs with same or similar violations, nine NOVs with dissimilar violations, four orders with denial of liability, and one order without denial of liability. Reduction for three notices of intent to conduct an audit and three disclosures of violations.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$7,875
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$970
Estimated Cost of Compliance \$16,500

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$82,125
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$82,125
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$82,125
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$82,125
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Screening Date 1-Jan-2015

Docket No. 2015-0034-AIR-E

PCW

Respondent Enterprise Products Operating LLC

Policy Revision 4 (April 2014)

Case ID No. 49878

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102323268

Media [Statute] Air

Enf. Coordinator Raime Hayes-Falero

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	6	30%
	Other written NOVs	9	18%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	3	-6%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 144%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for six NOVs with same or similar violations, nine NOVs with dissimilar violations, four orders with denial of liability, and one order without denial of liability. Reduction for three notices of intent to conduct an audit and three disclosures of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 144%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 1-Jan-2015

Docket No. 2015-0034-AIR-E

PCW

Respondent Enterprise Products Operating LLC

Policy Revision 4 (April 2014)

Case ID No. 49878

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102323268

Media [Statute] Air

Enf. Coordinator Raime Hayes-Falero

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(1), 101.20(2), 101.20(3), 115.352(4), 115.783(5), 116.115(c), and 122.143(4), 40 Code of Federal Regulations ("CFR") §§ 60.482-6(a)(1), 61.242-6(a)(1), and 63.167(a)(1), Federal Operating Permit ("FOP") No. Q1641, Special Terms and Conditions ("ST&C") Nos. 1A and 19, New Source Review ("NSR") Permit No. 6798, Special Conditions ("SC") No. 3E, NSR Permit Nos. 20698 and PSDTX797M1, SC No. 8E, NSR Permit Nos. 19930, PSDTX790, and PSDTX797M1, SC No. 2E, NSR Permit Nos. 8707 and PSDTX655M1, SC No. 6E, NSR Permit No. 5581, SC No. 8E, NSR Permit No. 22105, SC No. 7E, NSR Permit Nos. 22114 and PSDTX823, SC No. 6E, NSR Permit No. 8418, SC No. 3E, NSR Permit Nos. 21945 and PSDTX813, SC No. 10E, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to equip open-ended lines in volatile organic compound ("VOC") service with a second valve, blind flange, plug, or cap. Specifically, the Respondent discovered 443 open-ended lines in VOC service that did not have a second valve, blind flange, plug, or cap and determined the lines were not leaking from June 13, 2013 through June 12, 2014.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment will or could be exposed to significant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 4

365 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$15,000

Four quarterly events are recommended for the period of non-compliance from June 13, 2013 through June 12, 2014.

Good Faith Efforts to Comply

25.0%

Reduction \$3,750

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	x
N/A	(mark with x)

Notes

The Respondent completed corrective actions on September 17, 2014, before the November 20, 2014 NOE.

Violation Subtotal \$11,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$632

Violation Final Penalty Total \$26,250

This violation Final Assessed Penalty (adjusted for limits) \$26,250

Economic Benefit Worksheet

Respondent Enterprise Products Operating LLC
Case ID No. 49878
Reg. Ent. Reference No. RN102323268
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<small>No commas or \$</small>							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	13-Jun-2013	17-Sep-2014	1.26	\$632	n/a	\$632

Notes for DELAYED costs

Estimated cost to equip 443 open-ended lines with a second plug or cap and revise the open-ended line work process. The Date Required is the first date of non-compliance. The Final Date is the date that corrective actions were completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$632

Screening Date 1-Jan-2015

Docket No. 2015-0034-AIR-E

PCW

Respondent Enterprise Products Operating LLC

Case ID No. 49878

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102323268

Media [Statute] Air

Enf. Coordinator Raime Hayes-Falero

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(1), 101.20(2), 101.20(3), 115.722(d), 116.115(c), and 122.143(4), 40 CFR §§ 60.18(c)(3)(ii) and 63.11(b)(6)(ii), FOP No. O1641, ST&C Nos. 1A and 19, NSR Permit Nos. 76070 and PSDTX1057, SC No. 4A, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to maintain the net heating value above 300 British thermal units per standard cubic foot ("Btu/scf") for steam-assisted or air-assisted flares. Specifically, the South Plant Flare, Emission Point Number ("EPN") PTFL0121, had a net heating value of 47.65 Btu/scf to 298.55 Btu/scf on 48 instances from June 22, 2013 to March 31, 2014, resulting in the release of 425.33 pounds ("lbs") of nitrogen oxides ("NOx"), 492.89 lbs of carbon monoxide ("CO"), and 2,783.38 lbs of VOC; the North Storage Flare, EPN ESFL0123, had a net heating value of 11.03 Btu/scf to 291.31 Btu/scf on 37 instances from September 20, 2013 to April 20, 2014, resulting in the release of 0.21 lb of NOx, 0.42 lb of CO, and 2.42 lbs of VOC; the Frac Flare, EPN FL-004, had a net heating value of 198.85 Btu/scf to 292.27 Btu/scf on nine instances from February 21, 2014 to April 16, 2014, resulting in the release of 29.64 lbs of NOx, 59.16 lbs of CO, and 262.92 lbs of VOC; and the North Plant Flare, EPN MTL0120, had a net heating value of 166.17 Btu/scf to 289.02 Btu/scf on 20 instances from January 4, 2014 to March 7, 2014, resulting in the release of 140.9 lbs of NOx, 274.94 lbs of CO, and 2,607.12 lbs of VOC.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 6

46 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	X
annual	
single event	

Violation Base Penalty \$22,500

Six semiannual events are recommended for the instances of non-compliance that occurred from June 22, 2013 to April 20, 2014 (two events for EPN PTFL0121, two events for EPN ESFL0123, one event for EPN FL-004, and one event for EPN MTL0120).

Good Faith Efforts to Comply

10.0%

Reduction \$2,250

Extraordinary	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Ordinary		X
N/A		(mark with x)

Notes

The Respondent completed corrective actions on January 13, 2015 after the November 20, 2014 NOE.

Violation Subtotal \$20,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$117

Violation Final Penalty Total \$42,750

This violation Final Assessed Penalty (adjusted for limits) \$42,750

Economic Benefit Worksheet

Respondent Enterprise Products Operating LLC
Case ID No. 49878
Reg. Ent. Reference No. RN102323268
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	22-Jun-2013	13-Jan-2015	1.56	\$117	n/a	\$117
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to update the maintenance process and brief the operations crew on the rule requirement for air-assisted flare heating values. The Date Required is the first date of noncompliance. The Final Date is the date corrective actions were completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$117

Screening Date 1-Jan-2015

Docket No. 2015-0034-AIR-E

PCW

Respondent Enterprise Products Operating LLC

Policy Revision 4 (April 2014)

Case ID No. 49878

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102323268

Media [Statute] Air

Enf. Coordinator Raime Hayes-Falero

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), FOP No. O1641, ST&C Nos. 1A and 19, NSR Permit Nos. 20698 and PSDTX797M1, SC No. 19, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to maintain the pH at or above 10 for the recirculating caustic solution of Scrubber CS-1. Specifically, the recirculating caustic solution of Scrubber CS-1 had a pH of 9.9 on July 23, 2013 and a pH of 9.2 on March 10, 2014.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 2

2 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$7,500

Two single events are recommended.

Good Faith Efforts to Comply

25.0%

Reduction \$1,875

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes

The Respondent completed corrective action on June 11, 2014, before the November 20, 2014 NOE.

Violation Subtotal \$5,625

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$221

Violation Final Penalty Total \$13,125

This violation Final Assessed Penalty (adjusted for limits) \$13,125

Economic Benefit Worksheet

Respondent Enterprise Products Operating LLC
 Case ID No. 49878
 Reg. Ent. Reference No. RN102323268
 Media Air
 Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	23-Jul-2013	11-Jun-2014	0.88	\$221	n/a	\$221

Notes for DELAYED costs

Estimated cost to install a new pH probe and improve the maintenance process to include more frequent probe calibrations. The Date Required is the first date of non-compliance. The Final Date is the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$221



Compliance History Report

PUBLISHED Compliance History Report for CN603211277, RN102323268, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator:	CN603211277, Enterprise Products Operating LLC	Classification:	SATISFACTORY	Rating:	2.04
Regulated Entity:	RN102323268, ENTERPRISE MONT BELVIEU COMPLEX	Classification:	SATISFACTORY	Rating:	10.14
Complexity Points:	33	Repeat Violator:	NO		
CH Group:	03 - Oil and Gas Extraction				
Location:	10207 FM 1942 MONT BELVIEU, TX 77580, CHAMBERS COUNTY				
TCEQ Region:	REGION 12 - HOUSTON				

ID Number(s):

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TX490013455

AIR OPERATING PERMITS ACCOUNT NUMBER CI0008R

AIR OPERATING PERMITS PERMIT 3557

WASTEWATER PERMIT WQ0002940000

WASTEWATER EPA ID TX0134465

AIR NEW SOURCE PERMITS AFS NUM 4807100007

AIR NEW SOURCE PERMITS ACCOUNT NUMBER CI0008R

AIR NEW SOURCE PERMITS PERMIT 22105

AIR NEW SOURCE PERMITS PERMIT 22113

AIR NEW SOURCE PERMITS PERMIT 6798

AIR NEW SOURCE PERMITS PERMIT 21945

AIR NEW SOURCE PERMITS PERMIT 19930

AIR NEW SOURCE PERMITS REGISTRATION 5581A

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX655

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX790M1

AIR NEW SOURCE PERMITS REGISTRATION 82841

AIR NEW SOURCE PERMITS REGISTRATION 87477

AIR NEW SOURCE PERMITS REGISTRATION 93268

AIR NEW SOURCE PERMITS REGISTRATION 94067

AIR NEW SOURCE PERMITS REGISTRATION 95777

AIR NEW SOURCE PERMITS REGISTRATION 101478

AIR NEW SOURCE PERMITS REGISTRATION 101481

AIR NEW SOURCE PERMITS REGISTRATION 103076

AIR NEW SOURCE PERMITS REGISTRATION 110727

AIR NEW SOURCE PERMITS REGISTRATION 115013

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX797M1

AIR NEW SOURCE PERMITS REGISTRATION 105671

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX655M1

AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX6

AIR NEW SOURCE PERMITS PERMIT 117262

AIR NEW SOURCE PERMITS REGISTRATION 115619

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1336

AIR NEW SOURCE PERMITS REGISTRATION 118109

AIR NEW SOURCE PERMITS REGISTRATION 122457

AIR NEW SOURCE PERMITS EPA PERMIT N174

STORMWATER PERMIT TXR05AV96

STORMWATER PERMIT TXR05CE50

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

REGISTRATION # (SWR) 31038

AIR OPERATING PERMITS PERMIT 1641

POLLUTION PREVENTION PLANNING ID NUMBER P00218

WASTEWATER EPA ID TX0102326

WASTEWATER PERMIT WQ0005014000

AIR NEW SOURCE PERMITS PERMIT 20698

AIR NEW SOURCE PERMITS PERMIT 76070

AIR NEW SOURCE PERMITS PERMIT 5581

AIR NEW SOURCE PERMITS PERMIT 8418

AIR NEW SOURCE PERMITS PERMIT 8707

AIR NEW SOURCE PERMITS REGISTRATION 71649

AIR NEW SOURCE PERMITS REGISTRATION 72757

AIR NEW SOURCE PERMITS PERMIT 22114

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX790

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1057

AIR NEW SOURCE PERMITS REGISTRATION 85477

AIR NEW SOURCE PERMITS REGISTRATION 85755

AIR NEW SOURCE PERMITS REGISTRATION 94065

AIR NEW SOURCE PERMITS REGISTRATION 94133

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1286

AIR NEW SOURCE PERMITS EPA PERMIT N154

AIR NEW SOURCE PERMITS PERMIT 100091

AIR NEW SOURCE PERMITS REGISTRATION 103498

AIR NEW SOURCE PERMITS REGISTRATION 106767

AIR NEW SOURCE PERMITS PERMIT 107523

AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX33

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX823

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX813

AIR NEW SOURCE PERMITS REGISTRATION 111147

AIR NEW SOURCE PERMITS PERMIT 108147

AIR NEW SOURCE PERMITS REGISTRATION 106844

AIR NEW SOURCE PERMITS REGISTRATION 108247

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX824

AIR NEW SOURCE PERMITS REGISTRATION 124545

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX789M1

STORMWATER PERMIT TXR15XY43

AIR EMISSIONS INVENTORY ACCOUNT NUMBER CI0008R

Compliance History Period:	September 01, 2009 to August 31, 2014	Rating Year:	2014	Rating Date:	09/01/2014
Date Compliance History Report Prepared:	February 23, 2015				

Component Period Selected: February 23, 2010 to February 23, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Raime Hayes-Falero

Phone: (713) 767-3567

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If **YES** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If **YES**, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

- 1 Effective Date: 12/25/2010 ADMINORDER 2010-0821-AIR-E (1660 Order-Agreed Order With Denial)
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(F)
 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
 5C THSC Chapter 382 382.085(b)
 Description: Failed to accurately report the emissions of Incident No. 135653.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: SPECIAL CONDITION 1 OP
 Description: Failed to prevent unauthorized emissions including 592 pounds of butenes by failing to prevent the shutdown of a compressor during startup.
- 2 Effective Date: 03/19/2011 ADMINORDER 2010-1465-AIR-E (1660 Order-Agreed Order With Denial)
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: Special Condition No. 1 PERMIT
 Description: Failure to prevent unauthorized emissions specifically when liquid isobutene built up in the Oleflex separation vessels.
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)
 5C THSC Chapter 382 382.085(b)
 Description: Failure to comply with the reporting requirement.
- 3 Effective Date: 05/22/2011 ADMINORDER 2010-1831-AIR-E (1660 Order-Agreed Order With Denial)
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: MAERT PERMIT
 Description: Failed to prevent unauthorized emissions during an emissions event. Enterprise failed to prevent a process gas leak through the isolation valves and rupture disk.
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
 5C THSC Chapter 382 382.085(b)
 Description: Failed to include compound descriptive types in the final report.
- 4 Effective Date: 02/05/2012 ADMINORDER 2011-0429-AIR-E (1660 Order-Agreed Order With Denial)
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)

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30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: Special Conditions No. 1 PERMIT
 Special Terms and Conditions No. 9 OP
 Description: Failed to prevent unauthorized emissions.
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
 5C THSC Chapter 382 382.085(b)
 Description: Failed to submit the final record for Incident No. 146803 within two weeks after the end of the emissions event.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: General Conditions PERMIT
 Special Terms and Conditions No. 9 OP
 Description: Failed to prevent unauthorized emissions.
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
 5C THSC Chapter 382 382.085(b)
 Description: Failed to submit a final record for Incident No. 146894.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 5C THSC Chapter 382 382.085(b)
 Description: Failed to report emissions events that exceeded a reportable quantity.
 Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: GENERAL TERMS AND CONDITIONS OP
 Description: Failed to report all instances of deviations.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)
 5C THSC Chapter 382 382.085(b)
 Description: Failed to provide additional information at the request of the TCEQ.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 5C THSC Chapter 382 382.085(b)
 Description: Failed to submit the initial notification for Incident No. 148850 within 24 hours.
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
 5C THSC Chapter 382 382.085(b)
 Description: Failed to submit a final record for Incident No. 148850.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: General Conditions PERMIT
 Special Terms and Conditions No. 9 OP
 Description: Failed to prevent unauthorized emissions.

5 Effective Date: 06/03/2013 ADMINORDER 2012-2086-AIR-E (Findings Order-Agreed Order Without Denial)
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 116, SubChapter G 116.715(a)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: Special Condition 1 PERMIT
 Description: Failure to prevent unauthorized emissions. Category A12.i.6.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	March 22, 2010	(835122)
Item 2	April 22, 2010	(835123)
Item 3	May 20, 2010	(835124)
Item 4	June 14, 2010	(801826)
Item 5	June 21, 2010	(847567)
Item 6	September 28, 2010	(843218)
Item 7	November 08, 2010	(860369)
Item 8	November 22, 2010	(865940)
Item 9	November 24, 2010	(865933)
Item 10	November 29, 2010	(889392)
Item 11	December 03, 2010	(865932)
Item 12	December 07, 2010	(865930)
Item 13	December 20, 2010	(897764)
Item 14	December 22, 2010	(865931)
Item 15	December 29, 2010	(865935)
Item 16	January 24, 2011	(903651)
Item 17	February 14, 2011	(857784)
Item 18	February 22, 2011	(910546)
Item 19	March 07, 2011	(894391)
Item 20	April 06, 2011	(908466)
Item 21	April 18, 2011	(912865)
Item 22	May 13, 2011	(915443)
Item 23	May 17, 2011	(920477)
Item 24	May 23, 2011	(939499)
Item 25	June 10, 2011	(915472)
Item 26	June 20, 2011	(946902)
Item 27	July 01, 2011	(936412)
Item 28	July 25, 2011	(954170)
Item 29	August 16, 2011	(960747)
Item 30	September 20, 2011	(955766)
Item 31	October 21, 2011	(972818)
Item 32	November 07, 2011	(956486)
Item 33	December 27, 2011	(985788)
Item 34	January 22, 2012	(1082169)
Item 35	February 22, 2012	(999455)
Item 36	March 16, 2012	(994424)
Item 37	April 09, 2012	(995716)
Item 38	April 23, 2012	(1011543)
Item 39	May 21, 2012	(1017921)
Item 40	May 31, 2012	(1008088)
Item 41	June 12, 2012	(996359)
Item 42	June 19, 2012	(1008864)
Item 43	July 11, 2012	(1016002)
Item 44	July 23, 2012	(1033023)
Item 45	August 20, 2012	(1039531)
Item 46	September 25, 2012	(1048449)
Item 47	October 22, 2012	(1068437)
Item 48	November 26, 2012	(1068438)
Item 49	December 21, 2012	(1068439)
Item 50	January 16, 2013	(1053552)
Item 51	February 22, 2013	(1082168)
Item 52	March 25, 2013	(1090873)

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Item 53	April 22, 2013	(1097212)
Item 54	May 15, 2013	(1086890)
Item 55	May 23, 2013	(1108233)
Item 56	May 31, 2013	(1093047)
Item 57	June 26, 2013	(1100469)
Item 58	June 27, 2013	(1100337)
Item 59	July 29, 2013	(1051054)
Item 60	August 07, 2013	(1055622)
Item 61	August 22, 2013	(1113603)
Item 62	October 21, 2013	(1103131)
Item 63	November 06, 2013	(1116597)
Item 64	November 25, 2013	(1103130)
Item 65	December 17, 2013	(1086236)
Item 66	February 04, 2014	(1128200)
Item 67	February 13, 2014	(1150194)
Item 68	April 07, 2014	(1150597)
Item 69	June 09, 2014	(1165302)
Item 70	June 12, 2014	(1172204)
Item 71	July 10, 2014	(1178050)
Item 72	September 02, 2014	(1179172)
Item 73	October 14, 2014	(1192372)
Item 74	November 06, 2014	(1186116)
Item 75	November 19, 2014	(1219953)
Item 76	December 09, 2014	(1225765)
Item 77	January 26, 2015	(1217392)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date:	02/28/2014	(1168672)	CN603211277	
	Self Report?	YES		Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
	Description:	Failure to meet the limit for one or more permit parameter			
2	Date:	03/31/2014	(1175846)	CN603211277	
	Self Report?	YES		Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)			
	Description:	Failure to meet the limit for one or more permit parameter			
3	Date:	04/08/2014	(1134950)	CN603211277	
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 116, SubChapter F 116.602 30 TAC Chapter 116, SubChapter F 116.615(2) 30 TAC Chapter 116, SubChapter F 116.620(a)(12) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1) 5C THSC Chapter 382 382.085(b) Special Condition (4)(C) PERMIT Special Terms & Conditions 19 OP Special Terms & Conditions 1A OP			
	Description:	Failure to prevent visible emissions for more than five minutes in any two-hour period for Flares [EPN: FL-1 and FL-4]. Category C4			
	Self Report?	NO		Classification:	Moderate
	Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 116, SubChapter F 116.602 30 TAC Chapter 116, SubChapter F 116.615(2) 30 TAC Chapter 116, SubChapter F 116.620(c)(1)(F) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(1)			

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40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition 10(E) PERMIT
 Special Condition 2(E) PERMIT
 Special Condition 3(E) PERMIT
 Special Condition 6(E) PERMIT
 Special Condition 7(E) PERMIT
 Special Condition 8(E) PERMIT
 Special Terms & Conditions 19 OP
 Special Terms & Conditions 1A OP
 Description: Failure to equip open-ended valves or lines with a cap, blind flange, plug or second valve. Category C10
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 116, SubChapter F 116.602
 30 TAC Chapter 116, SubChapter F 116.615(2)
 30 TAC Chapter 116, SubChapter F 116.620(a)(12)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 Special Conditions 4(A) PERMIT
 Special Terms & Conditions 1A OP
 Special Terms & Conditions 19 OP
 Description: Failure to maintain net heating value at or above 300 Btu/scf for Flares [Group Inclusive Units: MTFLO120, PTFLO121, ESFL0123 and FL-004]. (Category C4)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Conditions 14 PERMIT
 Special Terms & Conditions 19 OP
 Description: Failure to maintain a pH at or above 10 for Scrubber CS-1 [Unit ID: MTST0220]. Category C4
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Conditions 1 PERMIT
 Special Conditions 1 PERMIT
 Special Terms & Conditions 19 OP
 Description: Failure to prevent exceedances of emission caps for West Texas DIB Turbines [EPN: 4, 5, 5A] and Flares [FL-1, FL-2, FL-3, and 45]. (Category B13)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter F 116.602
 30 TAC Chapter 116, SubChapter F 116.615(2)
 30 TAC Chapter 116, SubChapter F 116.620(a)(6)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Part 60, Subpart Db 60.44b(a)(1)(i)
 5C THSC Chapter 382 382.085(b)
 Special Terms & Conditions 1A PERMIT
 Description: Failure to prevent exceedances of Nitrogen Oxide (NOx) lbs/MMBtu limits for FRAC IV [EPN: HR15.001] and FRAC V [EPN: HR16.001]. Category B13

4 Date: 04/10/2014 (1157257)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 5C THSC Chapter 382 382.085(b)
 Standard Permit PERMIT
 Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event.

5 Date: 04/30/2014 (1182066) CN603211277
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter

6 Date: 05/20/2014 (1163523) CN603211277

	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THSC Chapter 382 382.085(b) NSR Permit 5581, SC1 PERMIT		
	Description:	Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event.		
7	Date:	05/31/2014 (1188963)	CN603211277	
	Self Report?	YES	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		
8	Date:	06/12/2014 (1139374)	CN603211277	
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 117, SubChapter B 117.345(c)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT KKKK 60.4375(b) 5C THSC Chapter 382 382.085(b) ST&C 1A OP		
	Description:	Failure to submit the 2010 Source Emission Survey of Solar Centaur Turbine Numbers 1, 2, & 3 Ducts stack test report and the 2010 Source Emission Survey of Solar 50-6100S Turbine stack test report by the 60 day report submittal deadline.		
9	Date:	06/30/2014 (1200798)	CN603211277	
	Self Report?	YES	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		
10	Date:	07/31/2014 (1200799)	CN603211277	
	Self Report?	YES	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		
11	Date:	08/04/2014 (1180354)	CN603211277	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter F 116.602 30 TAC Chapter 116, SubChapter F 116.615(2) 30 TAC Chapter 116, SubChapter F 116.620(a)(6) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Part 60, Subpart Db 60.44b(a)(1)(i) 5C THSC Chapter 382 382.085(b) Special Terms & Conditions 1A PERMIT		
	Description:	Failure to prevent exceedances of Nitrogen Oxide (NOx) lbs/MMBtu limits for FRAC IV [EPN: HR15.001] and FRAC V [EPN: HR16.001]. Category B13		
12	Date:	08/31/2014 (1207299)	CN603211277	
	Self Report?	YES	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		
13	Date:	09/30/2014 (1213702)	CN603211277	
	Self Report?	YES	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		
14	Date:	11/20/2014 (1192989)	CN603211277	
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 115, SubChapter C 115.214(a)(1)(C) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) ST&C 1A OP		
	Description:	Failure to inspect leak tight tank truck certificates before filling commenced. (Category C1 Violation)		

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1) 5C THSC Chapter 382 382.085(b) ST&C 1A OP		
Description:	Failure to prevent visible emissions during an emissions event (Category C4 Violation)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 116, SubChapter F 116.615(2) 30 TAC Chapter 116, SubChapter F 116.620(a)(12) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2) 5C THSC Chapter 382 382.085(b) ST&C 22D OP		
Description:	Failure to maintain flare pilot during an emissions event (Category C4 Violation)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 8 PERMIT ST&C 19 OP		
Description:	Failure to maintain water to fuel ratio in turbines DIB 400 and DIB 1200 (Category C4 Violation)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 6 PERMIT Special Condition 7C PERMIT ST&C 19 OP		
Description:	Failure to perform daily conductivity testing on cooling towers CT-1 and CO-1 (Category C1 Violation)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 13C PERMIT Special Condition 5 PERMIT ST&C 19 OP		
Description:	Failure to conduct weekly total dissolved solid testing on cooling towers C-69 and CT-06 (Category C1 Violation)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 116, SubChapter F 116.615(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 1 PERMIT ST&C 19 and 22B OP		
Description:	Failure to maintain carbon monoxide lbs./hr. emissions below permitted limits (Category B14 Violation)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 117, SubChapter B 117.310(c)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 3 PERMIT Special Condition 3B PERMIT Special Condition 4 PERMIT Special Condition 9 PERMIT ST&C 19 OP		
Description:	Failure to maintain carbon monoxide ppm. emissions below permitted limits. (Category B14 Violation)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 3 PERMIT Special Condition 4 PERMIT ST&C 19 OP		
Description:	Failure to maintain carbon monoxide lbs./MMBtu. emissions below permitted limits (Category B14 Violation)		

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 ST&C 19 OP
 Description: Failure to maintain nitrogen oxide lbs./hr. emissions below permitted limits (Category B14 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 3 PERMIT
 Special Condition 9 PERMIT
 ST&C 19 OP
 Description: Failure to maintain nitrogen oxide ppm. emissions below permitted limits (Category B14 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 and 3 PERMIT
 ST&C 19 OP
 Description: Failure to maintain ammonia emissions below permitted limits (Category B14 Violation)

15 Date: 11/25/2014 (1204604) CN603211277
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 NSR 19930, Special Condition 1 PERMIT
 Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event.

F. Environmental audits:

Notice of Intent Date: 04/22/2010 (826716)
 Disclosure Date: 07/09/2010
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(a)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(d)
 Description: Failed to conduct performance test, provide notification of the date of construction/reconstruction, provide notification of the actual date of start up of an affected facility within 15 days, provide notification of the date upon which demonstration of continuous monitoring system performance test commences, provide the Administrator at least 30 days notice of any performance test, and to perform annual performance test for Turbine Equipment No. 078CM12001, EPN 1, Splitter I, Turbine 1; and Tur
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
 Description: Failed to obtain NSR or PBR authorization for replacement of Solar Centaur T4500S (EPN 1) turbine with the Solar Centaur T4700S (Equipment 078CM12002).
 Notice of Intent Date: 02/04/2013 (1115738)
 Disclosure Date: 07/11/2013
 Viol. Classification: Moderate
 Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.15(b)(1)
 Description: Failed to maintain a written schedule for inspection of monitoring, safety, and emergency equipments
 Viol. Classification: Minor
 Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174
 Description: Failed to maintain documentation of all weekly hazardous waste container inspections for calendar years 2012 and 2013.
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter H 101.359(a)(2)
 Description: Failed to correctly report the NOx emission factor for area 400 Seminole Heater (EPN 4/5) on the ECT form.
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)
 Description: Failed to include 30 TAC § 117 in the permit renewal application for the West Texas Frac firewater pump

engine FWP-2.
 Viol. Classification: Moderate
 Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT B 265.16(c)
 Description: Failed to keep RCRA training current for three employees.
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter G 117.8010
 30 TAC Chapter 117, SubChapter G 117.8100(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT GG 60.334
 Description: Failed to include all required components (technical deficiencies were noted) of the third-party RATA reports.
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter C 115.214(a)(1)(C)
 30 TAC Chapter 115, SubChapter C 115.216(3)
 Description: Failed to ensure that tank trucks have current leak tests during loading events.
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
 Description: Failed to maintain documentation of daily flare observations for certain days and daily flare observations were not properly recorded for teh South Plant (Main Plant) Flare.
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Rqmt Prov: PERMIT NSR Permit 6798, SC 7
 PERMIT NSR Permit 8707, SC 12
 Description: Failed to maintain documentation of weekly Total Dissolved Solids samples for cooling towers at Seminole and West Texas Frac and documentation of daily conductivity measurements for the ISOM cooling tower.
 Notice of Intent Date: 04/05/2013 (1105868)
 Disclosure Date: 07/11/2013
 Viol. Classification: Minor
 Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)
 Description: Failed to reflect the correct process for the water wash column in the startup, shutdown, and malfunction plan (section 4.6 wastewater).
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(11)
 Description: Failed to limit the Frac IV Firewater pump engine (FWP 5) 107PM18.920, Canal Firewater pump engine (FWP 4) 356PM18.001, and the BEF Firewater pump engine (FWP 3) 107PM18.113B operating hours to less than 100, in order to maintain an exemption.
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
 5C THSC Chapter 382 382.085(b)
 Description: Failed to accurately represent equipment leak fugitive components in the authorization representations.
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)
 Description: Failed to maintain totalizing fuel flow meter calibration records for Splitters 1 through 4 and Cogen III and Frac IV, V, and VI Heaters.

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOVs Issued During Component Period 2/23/2010 and 2/23/2015

- 1 Date: 03/23/2010 (788999) CN603211277
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.5(b)
Chronic Biomonitoring Requirements PERMIT
ELMR, No. 1, p. 2 PERMIT
ELMR, No. 1, p. 2c PERMIT
Description: Failure to collect effluent samples at the frequency specified in the permit at Outfalls 001 and 002.
- 2 Date: 04/14/2010 (787086)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Special Condition 1 PERMIT
Description: Failed to operate within permitted limits of Air New Source Permit 20698. The permitted limits were exceeded during a 45 minute period of time on March 19, 2005, with the following quantities: 164 lbs NOx, 328 lbs CO, and 1,135 lbs VOC.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5581, Special Condition 1 PERMIT
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Failed to operate within permitted limits of Air New Source Permit 5581. Zero emissions are authorized from the tank loading operations. Unauthorized emissions of propane (11,452 lbs) were released over a 35 minute period of time on March 17, 2005.
- 3 Date: 06/30/2010 (868529) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 4 Date: 07/31/2010 (868530) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 5 Date: 08/31/2010 (875427) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 6 Date: 08/31/2010 (844336) CN603211277
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THSC Chapter 382 382.085(b)
Description: Failure to submit the semi-annual deviation report, dated January 9, 2009, within the required 30-day timeframe (Category B3 Violation)
- 7 Date: 09/30/2010 (882978) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 8 Date: 02/28/2011 (917780) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 9 Date: 03/31/2011 (929391) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 10 Date: 05/20/2011 (767479) CN603211277
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP Special Term and Condition 1A OP
FOP Special Term and Condition 9 OP
NSR Flexible Permit Special Condition 4C PERMIT
Description: Failure to operate the flares (FL-1, FL-2 and FL-45) without visible emissions exceeding a total of five minutes during any two consecutive hours.
Category C4
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP, Special Terms and Condition 1A OP
FOP, Special Terms and Condition 9 OP
NSR, General Terms and Condition 9 PERMIT
NSR, Special Condition 4B PERMIT
Description: Failure to ensure proper combustion and maintain a pilot flame on FL-1.
Category C4 violation
- 11 Date: 07/05/2011 (920740) CN603211277
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
MAERT PERMIT
Special Term & Condition 10 OP
Description: Failure to prevent unauthorized emissions. Specifically, Enterprise failed to prevent damage to the primary and secondary ethane pump seals due to cavitation which resulted in the release of unauthorized emissions. (Category B13 Violation)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
Special Term & Condition 2 OP
Description: Enterprise Mont Belvieu Complex (Enterprise) failed to report the incident (Incident #153934) that occurred on April 25, 2011 as required. (Category B19(g)(1) Violation)
- 12 Date: 07/22/2011 (936992) CN603211277
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 OP
Special Terms and Condition 10 OP
Description: Enterprise failed to prevent the overpressurization of the Splitter 1 unit which resulted unauthorized emissions.
- 13 Date: 08/02/2011 (933360)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
MAERT PERMIT
Special Term & Condition 13 OP
Description: Failure to prevent unauthorized emissions due mechanical problems of the unit's compressor. Sub Category: B14.
- 14 Date: 08/16/2011 (934110)
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 MAERT PERMIT
 ST & C 13 OP

Description: Failure to prevent unauthorized emissions due to the reboiler head gasket leak.
 Sub-category: B14.

- 15 Date: 08/31/2011 (966835) CN603211277
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
- 16 Date: 09/23/2011 (941457) CN603211277
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 Special Term & Condition 10 OP
 Description: Failure to prevent unauthorized emissions. Specifically, Enterprise failed to prevent the activation of the tank truck pressure relief valve. (Category B13 Violation)
- 17 Date: 10/24/2011 (951019) CN603211277
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1 OP
 ST&C 10 OP
 Description: Failure to prevent unauthorized emissions. Specifically, Enterprise failed to prevent a crack on a 3/4" bleeder valve.
- 18 Date: 10/31/2011 (978954) CN603211277
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
- 19 Date: 11/30/2011 (964211) CN603211277
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 NSR 76070 SC 1 PERMIT
 Description: Failure to maintain the enricher bottoms controller at 70 % level, resulting in unauthorized emissions from the flare for a duration of 14 hours and 20 minutes
- 20 Date: 12/12/2011 (952209) CN603211277
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
 5C THSC Chapter 382 382.085(b)
 ST&C 1 OP
 Description: Failure to limit visible emissions from flares for no more than five minutes in a two-hour period.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 SC 1 PERMIT
 ST&C 10 OP
 Description: Failure to maintain NOx lb/hr limits from MTGT0125 (EPN 42) as specified in NSR Permit 20698.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)

SC 1 PERMIT
ST&C 10 OP
Description: Failure to maintain CO lb/hr limits from MTGT0125 (EPN 42) and MTHR0128 (EPN 44) as specified in NSR Permit 20698.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 16 PERMIT
ST&C 10 OP
Description: Failure to maintain the recirculating caustic solution of Scrubber CS-1 at a pH of 10 or above as specified in NSR Permit 20698.

- 21 Date: 12/31/2011 (992133) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 22 Date: 01/06/2012 (969636)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to prevent an emissions event when a contract fugitive emissions technician jarred a high high level shutdown switch, triggering a shutdown of the Refrigeration Compressor, which resulted in unit overpressure and consequent flaring. [Subcategory B13]
- 23 Date: 02/29/2012 (1004989) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 24 Date: 05/31/2012 (1025676) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 25 Date: 05/31/2012 (1008084)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event. Category B13.
- 26 Date: 06/12/2012 (871990) CN603211277
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
Description: Failure to conduct all daily tank inspections.
- 27 Date: 06/14/2012 (1008091)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions during an emissions event (Category B13).
- 28 Date: 08/10/2012 (1022073) CN603211277
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)

Description: Failure to conduct all daily tank inspections.

Date: 11/21/2012 (1029183) CN603211277

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 14 PERMIT
STC 19 OP

Description: Failure to maintain pH of the caustic solution of scrubber CS-1 at or above 10 (C4).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart A 60.18(c)(4)(i)
5C THSC Chapter 382 382.085(b)
SC 4A PERMIT
STC 19 OP

Description: Failure to maintain maximum exit velocity within the permitted limit for a flare.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 11 PERMIT
STC 19 OP

Description: Failure to maintain NOx and CO concentrations in the turbine stacks below the permitted maximum limits (B18).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(i)(B)(ii)
5C THSC Chapter 382 382.085(b)
SC 4 PERMIT
STC 19 OP

Description: Failure to maintain net heating value of 300 Btu/scf for combusted gases in the flares (B18).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 1A OP

Description: Failed to repair compressors within the required six month period (C4).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart VV 60.482-6
5C THSC Chapter 382 382.085(b)
SC 2E PERMIT
STC 1A and 19 OP

Description: Failure to plug 258 open ended lines in VOC service (C10).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 3 PERMIT
STC 1A and 19 OP

Description: Failure to comply with lb/MMBtu permit limits for CO and NOx (C4).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.303(a)(11)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 1A OP

Description: Failure to operated three stationary diesel engines (FWP4, FWP3, and FRAC-FWP) for less than 100 hours, which are the maximum permitted operating hours (C4).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 1 PERMIT
STC 19 OP

Description: Failed to comply with permit limit/representation for ammonia lb/hour limit for a

gas turbine (MTGT0125) stack (C4).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(5)(C)(ii)
General Terms and Conditions OP

Description: Failed to list NSR permit number and/or applicable special conditions as the applicable requirement for which the deviations occurred (C3).

30 Date: 12/12/2012 (1042781) CN603211277

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR 76070, Special Condition 1 PERMIT

Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event. (CATEGORY C3)

31 Date: 05/01/2013 (1052400) CN603211277

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.345(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1(A) OP

Description: Failure to submit the 2009 and 2010 RATA report by report submittal deadline (Category B3).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 17(B)(2) PERMIT
ST&C 19 OP

Description: Failure to certify the CEMS for BEF Turbine Stack 42 during the second quarter of 2009 and 2010 (Category B1).

32 Date: 06/30/2013 (1118725) CN603211277

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

33 Date: 07/31/2013 (1126506) CN603211277

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

34 Date: 08/31/2013 (1131053) CN603211277

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

35* Date: 09/30/2013 (1136810) CN603211277

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

36* Date: 10/31/2013 (1142222) CN603211277

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

37* Date: 11/30/2013 (1148662) CN603211277

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

38* Date: 12/31/2013 (1154740) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

39* Date: 01/17/2014 (1124839)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Description: Enterprise failed to maintain the Barhill electrical substation in the Belvieu Environmental Fuels (BEF) Unit, which resulted in the release of 249.63 lbs. of unauthorized volatile organic compounds (VOC) emissions to the atmosphere.

40* Date: 01/31/2014 (1162054) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

41* Date: 02/28/2014 (1168672) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

42* Date: 03/31/2014 (1175846) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

43* Date: 04/08/2014 (1134950) CN603211277
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.602
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 116, SubChapter F 116.620(a)(12)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THSC Chapter 382 382.085(b)
Special Condition (4)(C) PERMIT
Special Terms & Conditions 19 OP
Special Terms & Conditions 1A OP
Description: Failure to prevent visible emissions for more than five minutes in any two-hour period for Flares [EPN: FL-1 and FL-4]. Category C4
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.602
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 116, SubChapter F 116.620(c)(1)(F)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 10(E) PERMIT
Special Condition 2(E) PERMIT
Special Condition 3(E) PERMIT
Special Condition 6(E) PERMIT
Special Condition 7(E) PERMIT
Special Condition 8(E) PERMIT
Special Terms & Conditions 19 OP
Special Terms & Conditions 1A OP
Description: Failure to equip open-ended valves or lines with a cap, blind flange, plug or second valve. Category C10
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 116, SubChapter F 116.602
 30 TAC Chapter 116, SubChapter F 116.615(2)
 30 TAC Chapter 116, SubChapter F 116.620(a)(12)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
 5C THSC Chapter 382 382.085(b)
 Special Conditions 4(A) PERMIT
 Special Terms & Conditions 1A OP
 Special Terms & Conditions 19 OP

Description: Failure to maintain net heating value at or above 300 Btu/scf for Flares [Group Inclusive Units: MTFL0120, PTFL0121, ESFL0123 and FL-004]. (Category C4)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Conditions 14 PERMIT
 Special Terms & Conditions 19 OP

Description: Failure to maintain a pH at or above 10 for Scrubber CS-1 [Unit ID: MTST0220]. Category C4

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Conditions 1 PERMIT
 Special Conditions 1 PERMIT
 Special Terms & Conditions 19 OP

Description: Failure to prevent exceedances of emission caps for West Texas DIB Turbines [EPN: 4, 5, 5A] and Flares [FL-1, FL-2, FL-3, and 45]. (Category B13)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.602
 30 TAC Chapter 116, SubChapter F 116.615(2)
 30 TAC Chapter 116, SubChapter F 116.620(a)(6)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Part 60, Subpart Db 60.44b(a)(1)(i)
 5C THSC Chapter 382 382.085(b)
 Special Terms & Conditions 1A PERMIT

Description: Failure to prevent exceedances of Nitrogen Oxide (NOx) lbs/MMBtu limits for FRAC IV [EPN: HR15.001] and FRAC V [EPN: HR16.001]. Category B13

44* Date: 04/10/2014 (1157257)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 5C THSC Chapter 382 382.085(b)
 Standard Permit PERMIT

Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event.

45* Date: 04/30/2014 (1182066) CN603211277

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

46* Date: 05/20/2014 (1163523) CN603211277

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THSC Chapter 382 382.085(b)
 NSR Permit 5581, SC1 PERMIT

Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event.

47* Date: 05/31/2014 (1188963) CN603211277

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

48* Date: 06/12/2014 (1139374) CN603211277
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.345(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT KKKK 60.4375(b)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to submit the 2010 Source Emission Survey of Solar Centaur Turbine Numbers 1, 2, & 3 Ducts stack test report and the 2010 Source Emission Survey of Solar 50-6100S Turbine stack test report by the 60 day report submittal deadline.

49* Date: 06/30/2014 (1200798) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

50* Date: 07/31/2014 (1200799) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

51* Date: 08/04/2014 (1180354) CN603211277
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter F 116.602
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 116, SubChapter F 116.620(a)(6)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart Db 60.44b(a)(1)(i)
5C THSC Chapter 382 382.085(b)
Special Terms & Conditions 1A PERMIT
Description: Failure to prevent exceedances of Nitrogen Oxide (NOx) lbs/MMBtu limits for FRAC IV [EPN: HR15.001] and FRAC V [EPN: HR16.001]. Category B13

52* Date: 08/31/2014 (1207299) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

53 Date: 09/30/2014 (1213702) CN603211277
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

54 Date: 11/20/2014 (1192989) CN603211277
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter C 115.214(a)(1)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to inspect leak tight tank truck certificates before filling commenced. (Category C1 Violation)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THSC Chapter 382 382.085(b)
ST&C 1A OP
Description: Failure to prevent visible emissions during an emissions event (Category C4 Violation)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 116, SubChapter F 116.615(2)
30 TAC Chapter 116, SubChapter F 116.620(a)(12)
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THSC Chapter 382 382.085(b)
 ST&C 22D OP

Description: Failure to maintain flare pilot during an emissions event (Category C4 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 8 PERMIT
 ST&C 19 OP

Description: Failure to maintain water to fuel ratio in turbines DIB 400 and DIB 1200 (Category C4 Violation)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 6 PERMIT
 Special Condition 7C PERMIT
 ST&C 19 OP

Description: Failure to perform daily conductivity testing on cooling towers CT-1 and CO-1 (Category C1 Violation)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 13C PERMIT
 Special Condition 5 PERMIT
 ST&C 19 OP

Description: Failure to conduct weekly total dissolved solid testing on cooling towers C-69 and CT-06 (Category C1 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 116, SubChapter F 116.615(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 ST&C 19 and 22B OP

Description: Failure to maintain carbon monoxide lbs./hr. emissions below permitted limits (Category B14 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 117, SubChapter B 117.310(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 3 PERMIT
 Special Condition 3B PERMIT
 Special Condition 4 PERMIT
 Special Condition 9 PERMIT
 ST&C 19 OP

Description: Failure to maintain carbon monoxide ppm. emissions below permitted limits. (Category B14 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 3 PERMIT
 Special Condition 4 PERMIT
 ST&C 19 OP

Description: Failure to maintain carbon monoxide lbs./MMBtu. emissions below permitted limits (Category B14 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1 PERMIT
 ST&C 19 OP

Description: Failure to maintain nitrogen oxide lbs./hr. emissions below permitted limits (Category B14 Violation)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 3 PERMIT

Special Condition 9 PERMIT
ST&C 19 OP
Description: Failure to maintain nitrogen oxide ppm. emissions below permitted limits (Category B14 Violation)
Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 and 3 PERMIT
ST&C 19 OP
Description: Failure to maintain ammonia emissions below permitted limits (Category B14 Violation)

55 Date: 11/25/2014 (1204604) CN603211277
Self Report? NO
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
NSR 19930, Special Condition 1 PERMIT
Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during an emissions event.

* NOVs applicable for the Compliance History rating period 9/1/2009 to 8/31/2014

Appendix B**All Investigations Conducted During Component Period February 23, 2010 and February 23, 2015**

Item 1*	March 22, 2010**	(835122)	For Informational Purposes Only
Item 2	March 23, 2010**	(788999)	For Informational Purposes Only
Item 3	April 15, 2010**	(787086)	For Informational Purposes Only
Item 4*	April 22, 2010**	(835123)	For Informational Purposes Only
Item 5	May 11, 2010**	(792698)	For Informational Purposes Only
Item 6*	May 20, 2010**	(835124)	For Informational Purposes Only
Item 7*	June 14, 2010**	(801826)	For Informational Purposes Only
Item 8*	June 21, 2010**	(847567)	For Informational Purposes Only
Item 9	August 18, 2010**	(844085)	For Informational Purposes Only
Item 10	August 23, 2010**	(868530)	For Informational Purposes Only
Item 11	August 31, 2010**	(844336)	For Informational Purposes Only
Item 12	September 22, 2010**	(875427)	For Informational Purposes Only
Item 13*	September 28, 2010**	(843218)	For Informational Purposes Only
Item 14	October 11, 2010**	(842599)	For Informational Purposes Only
Item 15	October 21, 2010**	(882978)	For Informational Purposes Only
Item 16*	November 08, 2010**	(860369)	For Informational Purposes Only
Item 17*	November 22, 2010**	(865940)	For Informational Purposes Only
Item 18*	November 24, 2010**	(865933)	For Informational Purposes Only
Item 19*	November 29, 2010**	(889392)	For Informational Purposes Only
Item 20*	December 03, 2010**	(865932)	For Informational Purposes Only
Item 21*	December 07, 2010**	(865930)	For Informational Purposes Only
Item 22*	December 20, 2010**	(897764)	For Informational Purposes Only
Item 23*	December 22, 2010**	(865931)	For Informational Purposes Only
Item 24*	December 29, 2010**	(865935)	For Informational Purposes Only
Item 25*	January 24, 2011**	(903651)	For Informational Purposes Only
Item 26	February 11, 2011**	(895187)	For Informational Purposes Only
Item 27*	February 14, 2011**	(857784)	For Informational Purposes Only
Item 28*	February 22, 2011**	(910546)	For Informational Purposes Only
Item 29	February 24, 2011**	(900450)	For Informational Purposes Only
Item 30	February 28, 2011**	(880886)	For Informational Purposes Only
Item 31	March 01, 2011**	(892919)	For Informational Purposes Only
Item 32*	March 07, 2011**	(894391)	For Informational Purposes Only
Item 33	March 15, 2011**	(878162)	For Informational Purposes Only
Item 34	March 21, 2011**	(917780)	For Informational Purposes Only
Item 35*	April 06, 2011**	(908466)	For Informational Purposes Only
Item 36*	April 18, 2011**	(912865)	For Informational Purposes Only
Item 37	April 19, 2011**	(891827)	For Informational Purposes Only
Item 38	April 25, 2011**	(929391)	For Informational Purposes Only
Item 39*	May 13, 2011**	(915443)	For Informational Purposes Only
Item 40*	May 17, 2011**	(920477)	For Informational Purposes Only

Item 41	May 20, 2011**	(767479)	For Informational Purposes Only
Item 42*	May 23, 2011**	(939499)	For Informational Purposes Only
Item 43	June 07, 2011**	(907740)	For Informational Purposes Only
Item 44*	June 10, 2011**	(915472)	For Informational Purposes Only
Item 45*	June 20, 2011**	(946902)	For Informational Purposes Only
Item 46	June 29, 2011**	(936084)	For Informational Purposes Only
Item 47*	July 01, 2011**	(936412)	For Informational Purposes Only
Item 48	July 05, 2011**	(920740)	For Informational Purposes Only
Item 49	July 20, 2011**	(936992)	For Informational Purposes Only
Item 50*	July 25, 2011**	(954170)	For Informational Purposes Only
Item 51	August 02, 2011**	(933360)	For Informational Purposes Only
Item 52	August 09, 2011**	(923601)	For Informational Purposes Only
Item 53	August 16, 2011**	(934110)	For Informational Purposes Only
Item 54*	September 20, 2011**	(955766)	For Informational Purposes Only
Item 55	September 21, 2011**	(948629)	For Informational Purposes Only
Item 56	September 22, 2011**	(966835)	For Informational Purposes Only
Item 57	September 23, 2011**	(941457)	For Informational Purposes Only
Item 58*	October 21, 2011**	(972818)	For Informational Purposes Only
Item 59	October 24, 2011**	(951019)	For Informational Purposes Only
Item 60	November 04, 2011**	(963942)	For Informational Purposes Only
Item 61*	November 07, 2011**	(956486)	For Informational Purposes Only
Item 62	November 21, 2011**	(978954)	For Informational Purposes Only
Item 63	November 30, 2011**	(964211)	For Informational Purposes Only
Item 64	December 12, 2011**	(952209)	For Informational Purposes Only
Item 65*	December 27, 2011**	(985788)	For Informational Purposes Only
Item 66	January 05, 2012**	(969636)	For Informational Purposes Only
Item 67	January 06, 2012**	(976781)	For Informational Purposes Only
Item 68*	January 22, 2012**	(1082169)	For Informational Purposes Only
Item 69	January 23, 2012**	(992133)	For Informational Purposes Only
Item 70	January 24, 2012**	(969616)	For Informational Purposes Only
Item 71	January 25, 2012**	(976417)	For Informational Purposes Only
Item 72*	February 22, 2012**	(999455)	For Informational Purposes Only
Item 73	March 06, 2012**	(976585)	For Informational Purposes Only
Item 74*	March 16, 2012**	(994424)	For Informational Purposes Only
Item 75	March 22, 2012**	(1004989)	For Informational Purposes Only
Item 76	March 30, 2012**	(995469)	For Informational Purposes Only
Item 77*	April 09, 2012**	(995716)	For Informational Purposes Only
Item 78*	April 23, 2012**	(1011543)	For Informational Purposes Only
Item 79	May 04, 2012**	(1002076)	For Informational Purposes Only
Item 80*	May 21, 2012**	(1017921)	For Informational Purposes Only
Item 81	May 31, 2012**	(1008084)	For Informational Purposes Only
Item 82	June 12, 2012**	(871990)	For Informational Purposes Only

Item 83	June 14, 2012**	(1008091)	For Informational Purposes Only
Item 84*	June 19, 2012**	(1008864)	For Informational Purposes Only
Item 85	June 21, 2012**	(1025676)	For Informational Purposes Only
Item 86*	July 11, 2012**	(1016002)	For Informational Purposes Only
Item 87*	July 23, 2012**	(1033023)	For Informational Purposes Only
Item 88	August 17, 2012**	(1027422)	For Informational Purposes Only
Item 89*	August 20, 2012**	(1039531)	For Informational Purposes Only
Item 90*	September 25, 2012**	(1048449)	For Informational Purposes Only
Item 91*	October 22, 2012**	(1068437)	For Informational Purposes Only
Item 92	November 20, 2012**	(1029183)	For Informational Purposes Only
Item 93	November 21, 2012**	(1046157)	For Informational Purposes Only
Item 94*	November 26, 2012**	(1068438)	For Informational Purposes Only
Item 95	December 06, 2012**	(1046227)	For Informational Purposes Only
Item 96*	December 21, 2012**	(1068439)	For Informational Purposes Only
Item 97	January 14, 2013**	(1042781)	For Informational Purposes Only
Item 98*	January 16, 2013**	(1053552)	For Informational Purposes Only
Item 99*	February 22, 2013**	(1082168)	For Informational Purposes Only
Item 100*	March 25, 2013**	(1090873)	For Informational Purposes Only
Item 101	April 16, 2013**	(1060179)	For Informational Purposes Only
Item 102*	April 22, 2013**	(1097212)	For Informational Purposes Only
Item 103	April 25, 2013**	(1086110)	For Informational Purposes Only
Item 104	April 30, 2013**	(1052400)	For Informational Purposes Only
Item 105*	May 15, 2013**	(1086890)	For Informational Purposes Only
Item 106*	May 23, 2013**	(1108233)	For Informational Purposes Only
Item 107*	May 31, 2013**	(1093047)	For Informational Purposes Only
Item 108*	June 26, 2013**	(1100469)	For Informational Purposes Only
Item 109*	June 27, 2013**	(1100337)	For Informational Purposes Only
Item 110	July 25, 2013**	(1118725)	For Informational Purposes Only
Item 111*	July 29, 2013**	(1051054)	For Informational Purposes Only
Item 112*	August 07, 2013**	(1055622)	For Informational Purposes Only
Item 113*	August 22, 2013**	(1113603)	For Informational Purposes Only
Item 114	August 27, 2013**	(1126506)	For Informational Purposes Only
Item 115	September 11, 2013**	(1022073)	For Informational Purposes Only
Item 116	September 25, 2013**	(1131053)	For Informational Purposes Only
Item 117*	October 21, 2013**	(1103131)	For Informational Purposes Only
Item 118*	November 06, 2013**	(1116597)	For Informational Purposes Only
Item 119*	November 25, 2013**	(1103130)	For Informational Purposes Only
Item 120	November 26, 2013**	(1142222)	For Informational Purposes Only
Item 121*	December 17, 2013**	(1086236)	For Informational Purposes Only
Item 122	December 23, 2013**	(1148662)	For Informational Purposes Only
Item 123	January 17, 2014**	(1124839)	For Informational Purposes Only
Item 124	January 21, 2014**	(1154740)	For Informational Purposes Only

Item 125*	February 04, 2014**	(1128200)	For Informational Purposes Only
Item 126*	February 13, 2014**	(1150194)	For Informational Purposes Only
Item 127	February 20, 2014**	(1162054)	For Informational Purposes Only
Item 128	February 24, 2014**	(1146961)	For Informational Purposes Only
Item 129	March 19, 2014**	(1168672)	For Informational Purposes Only
Item 130*	April 07, 2014**	(1150597)	For Informational Purposes Only
Item 131	April 08, 2014**	(1134950)	For Informational Purposes Only
Item 132	April 10, 2014**	(1150715)	For Informational Purposes Only
Item 133	April 17, 2014**	(1175846)	For Informational Purposes Only
Item 134	May 08, 2014**	(1165463)	For Informational Purposes Only
Item 135	May 19, 2014**	(1163523)	For Informational Purposes Only
Item 136	May 20, 2014**	(1182066)	For Informational Purposes Only
Item 137*	June 09, 2014**	(1165302)	For Informational Purposes Only
Item 138	June 11, 2014**	(1139374)	For Informational Purposes Only
Item 139*	June 12, 2014**	(1172204)	For Informational Purposes Only
Item 140	June 19, 2014**	(1188963)	For Informational Purposes Only
Item 141*	July 10, 2014**	(1178050)	For Informational Purposes Only
Item 142	July 16, 2014**	(1171005)	For Informational Purposes Only
Item 143	July 17, 2014**	(1200798)	For Informational Purposes Only
Item 144	August 04, 2014**	(1180354)	For Informational Purposes Only
Item 145	August 12, 2014**	(1178983)	For Informational Purposes Only
Item 146	August 13, 2014**	(1185974)	For Informational Purposes Only
Item 147	August 21, 2014**	(1200799)	For Informational Purposes Only
Item 148*	September 02, 2014	(1179172)	For Informational Purposes Only
Item 149	September 19, 2014	(1207299)	For Informational Purposes Only
Item 150*	October 14, 2014	(1192372)	For Informational Purposes Only
Item 151	October 17, 2014	(1213702)	For Informational Purposes Only
Item 152*	November 06, 2014	(1186116)	For Informational Purposes Only
Item 153*	November 19, 2014	(1219953)	For Informational Purposes Only
Item 154	November 20, 2014	(1192989)	For Informational Purposes Only
Item 155	November 25, 2014	(1204604)	For Informational Purposes Only
Item 156*	December 09, 2014	(1225765)	For Informational Purposes Only
Item 157*	January 26, 2015	(1217392)	For Informational Purposes Only

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2009 and 08/31/2014.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
ENTERPRISE PRODUCTS
OPERATING LLC
RN102323268**

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§**

**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2015-0034-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Enterprise Products Operating LLC ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a liquid petroleum gas processing plant located at 10207 Farm-to-Market Road 1942 in Mont Belvieu, Chambers County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During a record review conducted on September 15, 2014 through September 30, 2014, TCEQ staff documented that the Respondent failed to equip open-ended lines in volatile organic compound ("VOC") service with a second valve, blind flange, plug, or cap. Specifically, the Respondent discovered 443 open-ended lines in VOC service that did not have a second valve, blind flange, plug, or cap and determined the lines were not leaking from June 13, 2013 through June 12, 2014.
4. During a record review conducted on September 15, 2014 through September 30, 2014, TCEQ staff documented that the Respondent failed to maintain the net heating value above 300 British thermal units per standard cubic foot ("Btu/scf") for facility steam-assisted or air-assisted flares. Specifically, the South Plant Flare, Emission Point Number ("EPN") PTFLO121, had a net heating value of 47.65 Btu/scf to 298.55 Btu/scf on 48 instances from June 22, 2013 to March 31, 2014, resulting in the release of 425.33 pounds ("lbs") of nitrogen oxides ("NOx"), 492.89 lbs of carbon monoxide ("CO"), and 2,783.38 lbs of VOC; the North Storage Flare, EPN ESFLO123, had a net heating value of 11.03 Btu/scf to 291.31 Btu/scf on 37 instances from September 20, 2013 to April 20, 2014, resulting in the release of 0.21 lb of NOx, 0.42 lb of CO, and 2.42 lbs of VOC; the Frac Flare, EPN FL-004, had a net heating value of 198.85 Btu/scf to 292.27 Btu/scf on nine instances from February 21, 2014 to April 16, 2014, resulting in the release of 29.64 lbs of NOx, 59.16 lbs of CO, and 262.92 lbs of VOC; and the North Plant Flare, EPN MTFLO120, had a net heating value of 166.17 Btu/scf to 289.02 Btu/scf on 20 instances from January 4, 2014 to March 7, 2014, resulting in the release of 140.9 lbs of NOx, 274.94 lbs of CO, and 2,607.12 lbs of VOC.
5. During a record review conducted on September 15, 2014 through September 30, 2014, TCEQ staff documented that the Respondent failed to maintain the pH at or above 10 for the recirculating caustic solution of Scrubber CS-1. Specifically, the recirculating caustic solution of Scrubber CS-1 had a pH of 9.9 on July 23, 2013 and a pH of 9.2 on March 10, 2014.
6. The Respondent received notice of the violations on November 25, 2014.
7. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. By June 11, 2014, installed a new pH probe and improved the maintenance process to include more frequent probe calibrations;
 - b. By September 17, 2014, equipped 443 open-ended lines with a second plug or cap and revised the open-ended line work process; and
 - c. By January 13, 2015, updated the maintenance process and briefed the operations crew on the rule requirement for air-assisted flare heating values.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382, TEX. WATER CODE ch. 7, and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to equip open-ended lines in VOC service with a second valve, blind flange, plug, or cap, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1), 101.20(2), 101.20(3), 115.352(4), 115.783(5), 116.115(c), and 122.143(4), 40 CODE OF FEDERAL REGULATIONS ("CFR") §§ 60.482-6(a)(1), 61.242-6(a)(1), and 63.167(a)(1), Federal Operating Permit ("FOP") No. O1641, Special Terms and Conditions ("ST&C") Nos. 1A and 19, New Source Review ("NSR") Permit No. 6798, Special Conditions ("SC") No. 3E, NSR Permit Nos. 20698 and PSDTX797M1, SC No. 8E, NSR Permit Nos. 19930, PSDTX790, and PSDTX797M1, SC No. 2E, NSR Permit Nos. 8707 and PSDTX655M1, SC No. 6E, NSR Permit No. 5581, SC No. 8E, NSR Permit No. 22105, SC No. 7E, NSR Permit Nos. 22114 and PSDTX823, SC No. 6E, NSR Permit No. 8418, SC No. 3E, NSR Permit Nos. 21945 and PSDTX813, SC No. 10E, and TEX. HEALTH & SAFETY CODE § 382.085(b).
3. As evidenced by Findings of Fact No. 4, the Respondent failed to maintain the net heating value above 300 Btu/scf for steam-assisted or air-assisted flares, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1), 101.20(2), 101.20(3), 115.722(d), 116.115(c), and 122.143(4), 40 CFR §§ 60.18(c)(3)(ii) and 63.11(b)(6)(ii), FOP No. O1641, ST&C Nos. 1A and 19, NSR Permit Nos. 76070 and PSDTX1057, SC No. 4A, and TEX. HEALTH & SAFETY CODE § 382.085(b).
4. As evidenced by Findings of Fact No. 5, the Respondent failed to maintain the pH at or above 10 for the recirculating caustic solution of Scrubber CS-1, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), and 122.143(4), FOP No. O1641, ST&C Nos. 1A and 19, NSR Permit Nos. 20698 and PSDTX797M1, SC No. 19, and TEX. HEALTH & SAFETY CODE § 382.085(b).
5. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
6. An administrative penalty in the amount of Eighty-Two Thousand One Hundred Twenty-Five Dollars (\$82,125) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid Forty-One Thousand Sixty-Three Dollars (\$41,063) of the administrative penalty and Forty-One Thousand Sixty-Two Dollars (\$41,062) shall be conditionally offset by the Respondent's completion of two Supplemental Environmental Projects ("SEPs").

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Eighty-Two Thousand One Hundred Twenty-Five Dollars (\$82,125) as set forth in Section II, Paragraph 6 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Enterprise Products Operating LLC, Docket No. 2015-0034-AIR-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. The Respondent shall implement and complete two SEPs in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 6 above, Forty-One Thousand Sixty-Two Dollars (\$41,062) of the assessed administrative penalty shall be offset with the condition that the SEPs defined in Attachments A and B, incorporated herein by reference, are implemented by the Respondent. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director.

The determination of what constitutes good cause rests solely with the Executive Director.

6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

12/2/15
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Enterprise Products Operating LLC. I am authorized to agree to the attached Agreed Order on behalf of Enterprise Products Operating LLC, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Enterprise Products Operating LLC waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature

07/01/2015
Date

Robert E. Moss
Name (Printed or typed)
Authorized Representative of
Enterprise Products Operating LLC

Vice President - Houston Region Operations
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order

Attachment A
Docket Number: 2015-0034-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Enterprise Products Operating LLC
Penalty Amount:	Eighty-Two Thousand One Hundred Twenty-Five Dollars (\$82,125)
SEP Offset Amount:	Twenty-One Thousand Three Hundred Dollars (\$21,300)
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Barbers Hill Independent School District
Project Name:	<i>Energy Efficiency Building Upgrade/Retrofit Project</i>
Location of SEP:	Chambers County

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Barbers Hill Independent School District** for the *Energy Efficiency Building Upgrade/Retrofit Project*. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the “Project”). Specifically, the SEP Offset Amount will be used to pay a contractor to install and monitor sub-meters. The contractor's work will include installing revenue grade electric sub-meters in the line feed of certain facilities; installing revenue grade current transformers; incorporating all engineering, software, and graphics to accomplish effective monitoring of the status of this equipment; and a one-year warranty including parts and labor for the new sub-meters. In addition to sub-metering, the Third-Party Administrator shall use the SEP Offset Amount to pay its contractor to monitor, calibrate, and repair existing meters and to complete energy efficiency upgrades and/or retrofits based on needs identified in energy audits. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

Enterprise Products Operating LLC
Agreed Order - Attachment A

All dollars contributed will be used solely for the direct cost of implementing the Project, including but not limited to supplies, materials, and equipment. Any portion of this contribution that is not able to be spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

The Project will result in reduced energy consumption by school district buildings and will contribute to the overall reduction of greenhouse gases. The sub-metering is expected to reduce energy consumption up to eight percent. The Project will reduce fuel and electricity usage for heating and cooling and day-to-day operations. These reductions will reduce emission of particulate matter, volatile organic carbon compounds, nitrogen oxides, and other pollutants associated with the combustion of fuel and generation of electricity. It will also contribute to a reduction in peak loads on the State electric power grid.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Barbers Hill ISD SEP** and shall mail the contribution with a copy of the Agreed Order to the following address.

John Johnson, Consultant
Carl R. Griffith & Associates, Inc.
2901 Turtle Creek Drive, Suite 445
Port Arthur, Texas 77642

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to the following address.

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP; shall make the check payable to "Texas Commission on Environmental Quality"; and shall mail it to the following address.

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

Attachment B
Docket Number: 2015-0034-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Enterprise Products Operating LLC
Penalty Amount:	Eighty-Two Thousand One Hundred Twenty-Five Dollars (\$82,125)
SEP Offset Amount:	Nineteen Thousand Seven Hundred Sixty-Two Dollars (\$19,762)
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Texas Association of Resource Conservation and Development Areas, Inc.
Project Name:	<i>Tire Collection Events and Cleanup of Abandoned Tire Sites</i>
Location of SEP:	Chambers County - Trinity River Basin, Gulf Coast Aquifer

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment B.

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Texas Association of Resource Conservation and Development Areas, Inc. (“RC&D”)** for the *Tire Collection Events and Cleanup of Abandoned Tire Sites* project. The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and the TCEQ (the “Project”). Specifically, the SEP Offset Amount will be used to coordinate with local city and county government officials and private entities (“Partner Entities”) to conduct tire collection events where residents will be able to drop off tires for proper disposal or recycling (“Collection Events”), or to clean sites where tires have been disposed of illegally (“Site Cleanups”).

Texas RC&D shall ensure that collected tires, debris, and waste are properly transported to and disposed at an authorized disposal site, and if a licensed hauler is needed for tires or other regulated waste collected from sites, Texas RC&D shall ensure that only properly licensed haulers are used for transport and disposal of tires and regulated wastes. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

Enterprise Products Operating LLC
Agreed Order - Attachment B

All dollars contributed will be used solely for the direct cost of the Project, including but not limited to supplies, materials, and equipment. Any portion of this contribution that is not able to be spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

This SEP will provide an environmental benefit by providing communities with a free and convenient means for safe and proper disposal of tires and by reducing the dangers and health threats associated with illegally dumped tires.

The health risks associated with illegal dumping are significant. Areas used for illegal tire dumping may be easily accessible to people, especially children, who are vulnerable to the physical hazards posed by abandoned tires. Rodents, insects, and other vermin attracted to dump sites may also pose health risks. Tire dump sites which contain scrap tires pose an ideal breeding ground for mosquitoes, which can breed 100 times faster in the warm, stagnant water standing in scrap tire casings. Severe illnesses, including West Nile Virus, have been attributed to disease-carrying mosquitoes. The potential for tire fires is also reduced by removing illegally dumped tires. Tire fires can result in the contamination of air, surface water, ground water, and soil. In addition, neighborhoods have been evacuated and property damage has been significant due to tire dump sites that caught fire. Illegal tire dumping can also impact drainage of runoff, making areas more susceptible to flooding when wastes block waterways. Open burning at tire dump sites can cause forest fires and erosion as fires burn away trees and undergrowth. Tire dumping has a negative impact on trees and wildlife, and runoff from tire dumpsites may contain chemicals that can contaminate wells and surface water used for drinking.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Texas Association of RC&D SEP** and shall mail the contribution with a copy of the Agreed Order to:

Enterprise Products Operating LLC
Agreed Order - Attachment B

Texas Association of RC&D Areas, Inc.
Attn.: Jerry Pearce, Executive Director
P.O. Box 2533
Victoria, Texas 77902

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment B, including full expenditure of the SEP Offset Amount, as described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP. The Respondent shall make the check payable to "Texas Commission on Environmental Quality" and shall mail it to:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment B and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.